

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Jennifer Artesi)	
)	
v.)	Civil Action No.: 1:19-CV-00214-SM
)	
DeMoulas Super Markets, Inc. d/b/a)	
Market Basket, and)	
Dennis Labatte)	

AFFIDAVIT OF JOSEPH SCHMIDT

I, Joseph Schmidt, upon my oath depose and say:

1. I make this supplemental affidavit in support of the Defendants' reply to Plaintiff's objection to Defendants' motion for summary judgment.
2. I am currently employed as Operations Manager for DeMoulas Super Markets. I am fully familiar with the facts of this case.
3. Exhibit J is a true and accurate copy of documents signed by Plaintiff (formerly Tapscott) dated between 2009 to 2016, showing that she received and acknowledged receiving documents relating to FMLA rights. The documents include an acknowledgement of receiving a U.S. Government issued FMLA "Fact Sheet" as stated in the documents. These documents are contained within the personnel file produced in discovery in the case.
4. Exhibit K is a true and accurate copy of documents relating to Plaintiff's request for FMLA leave in March of 2016.
5. Exhibit K contains: a) documents requesting additional leave for 5/26/16 to 6/22/16; b) letters to Plaintiff showing that the FMLA documents were mailed to her with the

designation notice which is part of the exhibit; and c) return receipts showing that the letters were signed for by Plaintiff or her husband.

6. Exhibit L is a true and accurate copy of time punches for Plaintiff for the time frame March 2016—June 2016.

Signed this 18th day of February, 2020.

/s/ Joseph Schmidt


Joseph Schmidt



State of Massachusetts

Middlesex County, SS.

The above-named Joseph Schmidt, being first duly sworn, appeared before me on the above date, and under oath execute the foregoing affidavit and acknowledged that the statements given above are true and correct to the best of his knowledge and belief.



Notary Public/Justice of the Peace

My Commission Expires: Feb 15 2024



HAYLEY MARIE PARNELL

Notary Public

Commonwealth of Massachusetts

My Commission Expires

February 15, 2024